

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JAMES L. HALL,

Plaintiff,

vs.

Lt. SELF, et al.,

Defendants.

Case No. 3:05-cv-00219-JWS

ORDER REGARDING  
COPIES OF CLOSED CASES

James L. Hall, a self-represented prisoner, has filed a motion for copies free of charge in three of his closed civil rights cases.<sup>1</sup> Mr. Hall says that he needs the documents in those cases for his current state criminal cases, and that his copies of those documents have been destroyed.<sup>2</sup> He does not explain how the documents relate to his current state criminal cases, such that he needs them at this time. However, the record shows that the order reopening this case, and the later dismissal of the case, were returned to the Court as undeliverable, and those orders, issued in

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<sup>1</sup> See Docket Nos. 20, 21, 22; see *also* Case Nos. 3:05-cv-00160-RRB, and 3:05-cv-00226-JWS.

<sup>2</sup> See Docket No. 20.

2006 electronically, will be re-sent to Mr. Hall at the address from which he sent the current motions.<sup>3</sup>

In any event, the Court does not have hard copies of Mr. Hall's 2005 closed cases in its location at the Federal Courthouse in Anchorage, because those files have been archived.<sup>4</sup> Furthermore, the public record indicates that Mr. Hall is represented by counsel in his state criminal cases.<sup>5</sup> If there are documents in Mr. Hall's closed civil rights cases in this Court which are currently needed for his criminal defense, counsel in his state criminal case is most likely to be able to more efficiently secure the necessary copies from Archives.<sup>6</sup>

If Mr. Hall wishes to pursue this course of action on his own (without the assistance of state court counsel), however, this Court must have full and complete information about his financial status in order to decide who should bear the cost of the copies and the cost of retrieving the archived files. The Court has developed a form to obtain all the information it needs. Mr. Hall will be allowed to file a new application on the enclosed (current) Court form, and must include the required

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<sup>3</sup> See Docket Nos. 12-18.

<sup>4</sup> The Court only has electronic copies of documents from 2006 on, when the Court went on line.

<sup>5</sup> See *State of Alaska v. James Hall*, 3AN-07-03889CR, and *State of Alaska v. James Hall*, 3AN-07-02724CR.

<sup>6</sup> Counsel for Mr. Hall may contact the Clerk's Office for information about how to secure copies from Archives. There is a \$45 retrieval fee for each archived case, in addition to the \$.50 per page copying fee.

documentation. Mr. Hall must answer all questions on the application fully, completely and directly, or the application will be denied. If a question does not apply, answer "N/A"; otherwise answer "yes" or "no", check all applicable boxes, fill in all blanks, and provide complete information as requested.

Mr. Hall must complete the last page of the fee application, and must show the average monthly deposits and average monthly balance in his prison trust account from March - August, 2007. He should also complete the enclosed motion form, and explain why he needs copies of these documents, at public expense, at this time.

**IT IS HEREBY ORDERED** that:

1. The Clerk of Court is directed to send Mr. Hall copies of docket numbers 12, 13, 16 and 17, which were returned to the Court as undeliverable.
2. Mr. Hall's request to waive the fee for obtaining copies of this archived and closed case file, at docket numbers 20 - 22, is DENIED with leave to amend.
3. If Mr. Hall wishes to obtain a free copy of his entire closed case file himself (rather than have state court counsel secure it), he must file an amended application to waive prepayment of fees **on the enclosed form**, including all the requested documentation.
4. The Clerk of Court is directed to send form PS10, Prisoner's Application to Waive Prepayment of Fees, with instructions, to Mr. Hall with this Order.

5. If Mr. Hall wishes to secure a copy of his entire closed case file at no cost to himself, he must file an amended motion for copies, **on this Court's form**, explaining why all of these documents are necessary.
6. The Clerk of Court is directed to send a copy of the Court's motion form, PS15, to Mr. Hall with this Order.

DATED this 13<sup>th</sup> day of September, 2007, at Anchorage, Alaska.

/s/JOHN W. SEDWICK  
United States District Judge